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AMENDMENT TRANSMITTAL LETTER

Docket No.
NEL-006Application No.
10/091,567-Conf. #7851Filing Date
March 7, 2002Examiner
M. HillArt Unit
1648

Applicant(s): Jonathan P. Wong, et al


Invention: DNA VACCINE USING LIPOSOME-ENCAPSULATED PLASMID DNA ENCODING FOR
HEMAGGLUTININ PROTEIN OF INFLUENZA VIRUS

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	12	- 20 =		x	0.00
Independent Claims	3	- 4 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

☒ Large Entity☐ Small Entity☒ No additional fee is required for this amendment.☐ Please charge Deposit Account No. _____ in the amount of \$ _____.
A duplicate copy of this sheet is enclosed.☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 18-0013
as described below. A duplicate copy of this sheet is enclosed.☒ Credit any overpayment.☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.
David K. Benson
Attorney Reg. No.: 42,314Dated: March 17, 2003RADER, FISHMAN & GRAUER PLLC
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MAR 18 2003
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Docket No.: NEL-006
(PATENT)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jonathan P. Wong, et al

Application No.: 10/091,567

Group Art Unit: 1648

Filed: March 7, 2002

Examiner: M. Hill

For: DNA VACCINE USING LIPOSOME-
ENCAPSULATED PLASMID DNA
ENCODING FOR HEMAGGLUTININ
PROTEIN OF INFLUENZA VIRUS

AMENDMENT

Box Non-Fee Amendment
Commissioner for Patents
Washington, DC 20231

Dear Sir:

In response to the Office Action dated December 16, 2002 (Paper No. 7), please amend the above-identified U.S. patent application as follows:

In the Claims

Please cancel claims 1 to 7. Please add new claims 8 to 19.

8. (new) A deoxyribonucleic acid (DNA) vaccine comprising a liposome-encapsulated plasmid containing a gene encoding for hemagglutinin protein.

9. (new) The vaccine as claimed in Claim 8 deliverable to a respiratory tract using intranasal administration and/or by aerosol inhalation.

10. (new) Use of the vaccine of claim 8 for preventing and/or treating influenza virus infection.